

Remarks/Arguments

Claims 1-6, 8-13 and 18-23 are pending in the present application. All claims have been rejected. Claims 1-3, 6, 8-12 and 18-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Laaksonen (WO 03/041525 A1) in view of Rayfield et al. (U.S. 4,242,769). Claims 4-5 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Laaksonen in view of Rayfield et al. as applied to claims 1-3, 6-12 and 14 and further in view of Tsai (GB 2 312 643 A). In addition the paragraph inserted between paragraphs 3 and 4 in the February 6, 2009 Office Action has been objected to as being new matter. Applicant has cancelled this paragraph and believes this objection has been obviated. The Applicant respectfully disagrees with the present rejections and offers the following argument in support of allowance. Furthermore, Applicant has amended independent claims 1 and 11. All amendments are fully supported by the original specification. No new matter has been added. Applicant believes all claims are in proper form for allowance and respectfully requests allowance thereof.

Objection to New Matter:

The February 6, 2009 Office Action added the following paragraph after paragraph [0003] and before paragraph [0004]:

In WO 03/041525A Fagerdale Tuotanto Oy, which was published on 3 December 1998 and after the filing date of the present application, there is disclosed floatation material having through-cuts and wherein the material is used and provided in garments with the openings stretched open or kept open by being laminated to a fabric backing.

This paragraph has been objected to as introducing new matter. In response, this paragraph has been deleted thereby obviating the present objection.

Claims 1 and 11:

Independent claims 1 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Laaksonen in view of Rayfield et al. The Applicant respectfully disagrees with the rejection. Independent claims 1 and 11 have been amended to require, in-part, "a non-woven, slip layer is provided between the foam material and the outer fabric sheet or outer fabric layer to enable the foam material and the outer fabric sheet or outer fabric layer to readily move relative to each other". The prior art does not teach this limitation. In contrast, Laaksonen teaches a cut cellular plastic sheet (3) (i.e., the outer fabric sheet or outer fabric layer) and a support fabric (2) (i.e., the outer fabric sheet or outer fabric layer). (Abstract). However, Laaksonen fails to teach a non-woven, slip layer positioned between the cut cellular plastic sheet (3) and the support fabric (2). Furthermore, Laaksonen fails to teach that this slip layer enables the cut cellular plastic sheet (3) and the support fabric (2) to readily move relative to each other. Therefore Laaksonen fails to teach each and every limitation of Applicant's amended claims 1 and 11.

Rayfield fails to cure Laaksonen as Rayfield also fails to teach "a non-woven, slip layer [] provided between the foam material and the outer fabric sheet or outer fabric layer to enable the foam material and the outer fabric sheet or outer fabric layer to readily move relative to each other". In contrast, Rayfield teaches, an outer covering 34 (i.e., the outer fabric sheet or outer fabric layer) and an inflatable spacer assembly or bladder means 32 (i.e., the foam material). (Col. 3, lines 24-35). However, Rayfield fails to teach a non-woven, slip layer positioned between the bladder means 32 and

the outer covering 34. Furthermore, Rayfield fails to teach that this slip layer enables the bladder means 32 and the outer covering 34 to readily move relative to each other. Therefore neither Laaksonen nor Rayfield, individually or in combination teach each and every limitation of Applicant's independent claims 1 and 11. Accordingly Applicant believes these claims are in proper form for allowance and respectfully requests allowance thereof.

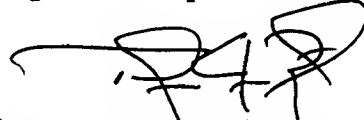
Conclusion

In view of the above remarks and arguments, Applicant believes that claims 1-6, 8-13 and 18-23 are in condition for allowance and Applicant respectfully requests allowance of such claims.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



Timothy J. Zarley, Reg. No. 45,253
ZARLEY LAW FIRM, P.L.C
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone No. (515) 558-0200
Fax No. (515) 558-7790
Customer No. 34082
Attorneys of Record

- TJZ/CAP/jlk -